

JAN 26 1955

Chief of Logistics  
ATTN : Chief, Transportation Division

Assistant General Counsel

Partial Shipments of Personal Effects and Household Goods and  
Shipment of Personal Vehicles

REF: Memo to DD/A from Chief, FE dated 1 November 1954

1. The referenced memorandum has been referred to us for comment on the legal aspects of the proposed procedure. Briefly, the problem presented is this: May the Agency, in connection with a permanent change of station within the FE area, make partial shipments of personal effects and household goods to the United States for storage and the remainder to the new PCS post, and may the Agency ship the employee's automobile to the United States where the laws of the country in which the new PCS point is located prevent import of the type of automobile owned by the employee concerned.

2. The procedure for which approval is requested as we see it is designed to overcome an administrative problem which confronts every Government agency having employees in overseas areas.

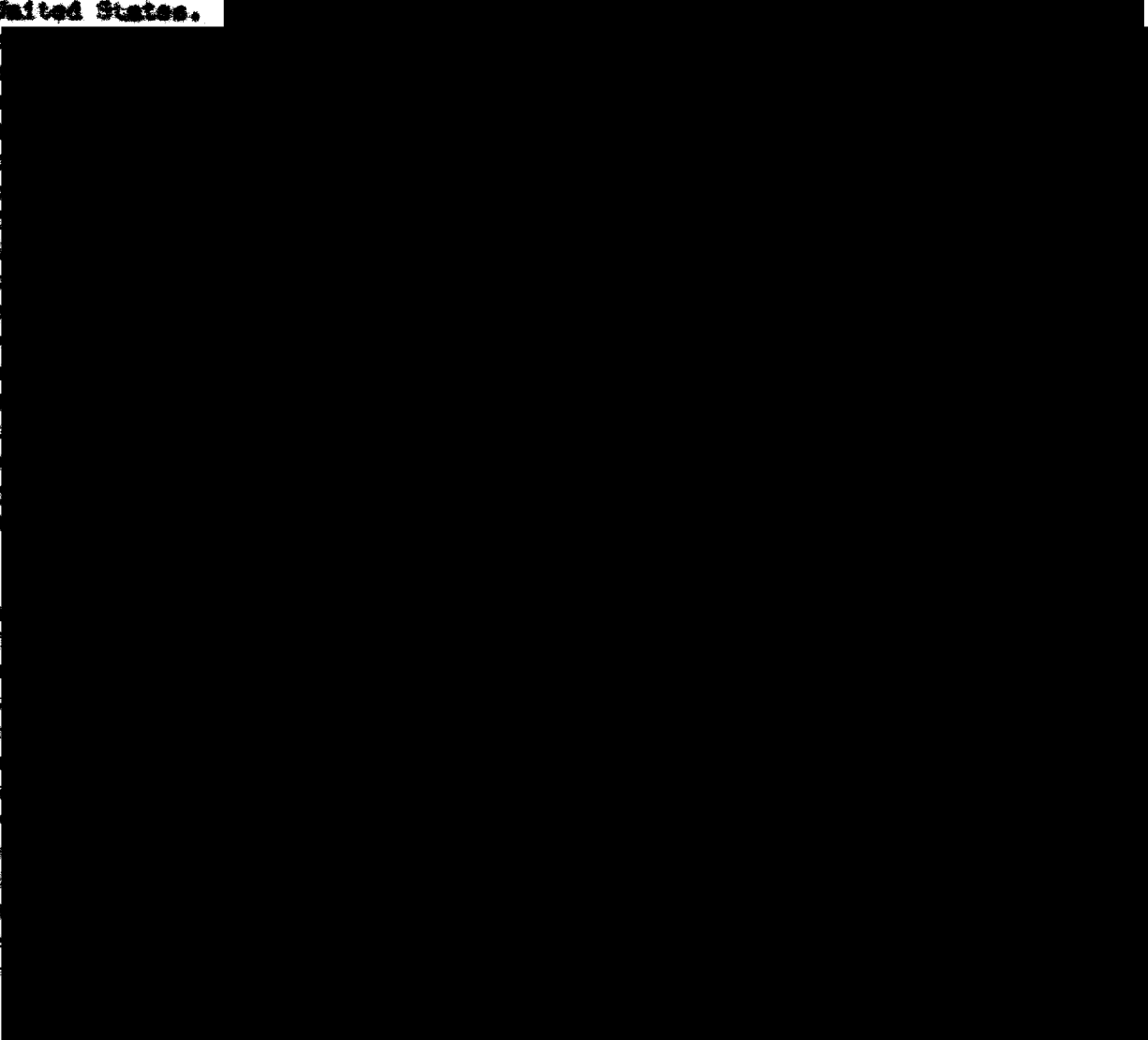
FOIAb5

FOIAb5

3. With regard to the partial shipments of personal effects and household goods to the United States in advance of the return of the employee concerned, we do not think the Agency has the authority to authorize such shipments at Government expense on a blanket basis. A variety of possible alternative solutions are available however. PL 737, 83rd Congress, recently amended the Administrative Expenses Act of 1946 which authorizes such shipment to the place of actual residence in the United States, prior to the return of the employee, "when the employee has acquired eligibility for such transportation". We would regard an employee as having "acquired eligibility" when he has completed the tour of duty prescribed for the post at which he is serving. The statute also provides that the expenses of such transportation will be allowed "not in excess of one time". The fact should, therefore, be brought to the attention of any employees wishing to avail themselves of this transportation that, while the Agency will pay the cost of such transportation and will pay the cost of storage in the United States as presently provided by Agency regulations, any goods thus returned to the United States may not be sent again overseas at Government expense until the employee shall have returned to the United States on PCS status.

~~SECRET~~

4. We realize that the great majority of the employees concerned will not have acquired eligibility for the transportation just described. For these employees we recommend one of two possible solutions. Public Law 737 cited above also states that when an employee returns his household goods to the United States at his own expense prior to his return, the Government shall reimburse him for proper transportation expenses at such time as he acquires eligibility therefor. May we add that when an employee elects to ship his goods at his own expense, the Agency may legally reimburse him immediately for that portion of the expense as represents the cost of the shipment between the old and new station which would have been paid by the Government if the goods had been shipped to the new post, although such reimbursement may be so administratively burdensome as to be deemed inappropriate. The weight of such shipments should also be deducted from the employee's authorized weight and volume when the balance of the household effects are eventually returned at Government expense to the United States.

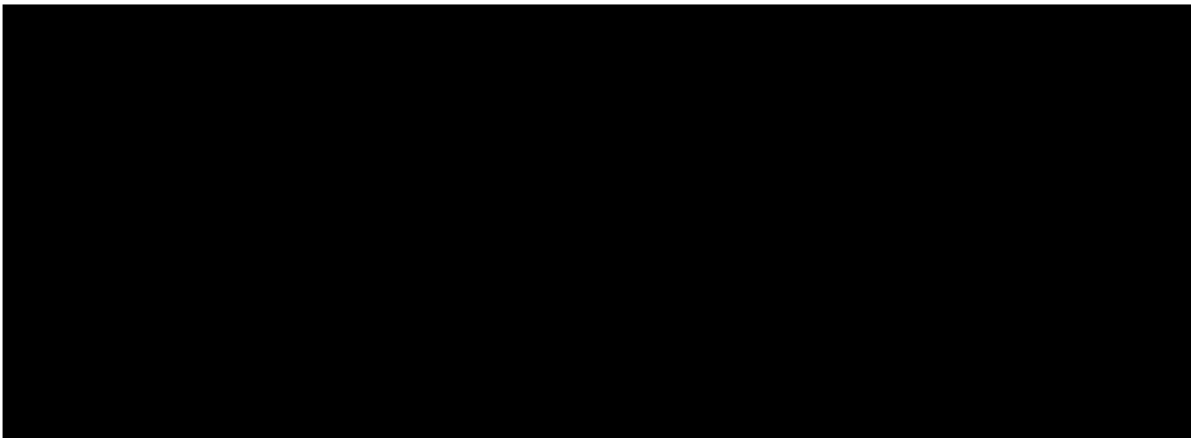


FOIAb5

FOIAb5

SECRET

FOIAb5



25X1A9a



OCC/TSP:mz (26 Jan 55)

Distribution:

Orig & 1 - Addressee

1 - Legal

1 - Vital

1 - Subject

1 - Chrono

2 - LO/Admin. Staff

1 - Signer's ey.

-3-

SECRET